

Supervised Visitation In Child Protection Cases

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Outline

- Putting SV in Foster Care cases in Context
 - How SV in Foster Care is different than in Family Law
- Making a successful referral for supervised visitation
- How to select a provider of SV
- How to make use of Documentation
- Your questions

The Context: Different purposes of SV

- Supervised visitation in family law cases:
 - Parents are divorcing or separating
 - Contact presents a risk to parents or child(ren)
 - Because of a history of violence between parents (DV)
 - Because of NCP's limited parenting skills or prior contact
 - Because of mental illness or substance abuse

Legal issue: whether and how future contact will occur

- Supervised visitation in Foster Care cases:
 - Child(ren) removed from home for abuse or neglect
 - “Parties” are parent(s) and CPS agency

Legal issue: will child be returned home or not

The Context: History

- SV began in child protective cases
 - Requirement of ongoing contact pending decision about reunification
 - SV was done by staff of CPS agencies
- 1980's increase in rate of divorce and litigation of visitation
 - New providers outside of CPS agencies: referrals to SV Providers became possible.
- 1993 SVN founded. Now 550 members
 - Standards, Code of Ethics
 - Working on Guidelines for Effective practice, Training curricula
 - For the future: Should there be a SV credential?

Differences and Structuring a Referral

- Different Conflict
 - Family law: conflict between 2 parents
 - Foster Care: “Parties” are parents and CPS
- Implication: Visits will be most successful if the SV provider maintains balanced stance and can create a good working relationship with the parent. The SV Provider works with or for, but is independent of, the CPS agency

Differences and Structuring a Referral (2)

- Different roles
 - Fam law: SV role is preventive (unless other order)
 - Foster Care: Preventive and often educational
- Implications:
 - Clarity is needed on CPS agencies goals for SV and expectations of SV Provider.
 - Will Provider be providing parenting education?
 - How will success/failure of parent's learning be documented?
 - Written contract setting forth goals
 - Goals and documentation shared with parents

Differences and Structuring a Referral (3)

- Different time pressure
 - Fam law: visit supervision may allow cooling down
 - Foster care: time pressure for reunification or decision for permanent placement.
- Implication: Clarity at the time of referral on what the time frame is. When will review (decision about placement/return home) occur? What will be provider's role?

Selecting a Provider

- The field of Supervised Visitation is unregulated
- Some questions you can ask:
 - Professional Standards: Does the Provider follow SVN Standards?
 - Training: ask for specific training; don't rely on degrees
 - Funding sources: Some funders impose requirements
 - OVW Safe Havens grantees: well-qualified in DV
 - Access and Visitation grantees
 - Experience: ask if the Provider has done CPS cases.

How to make use of documentation

- Providers vary in how they document
 - From just date and time to extensive narratives of parent child interactions.
 - If there are goals of the supervised parent-child contacts, how this will be documented should be clear in CPS agreement with the Provider; and
 - In the Provider's agreement with the parent
- Observation notes contain valuable information.
- But do not expect recommendations about parenting capacity. This is against SV Standards
 - Factual observations of whether specific behavioral goals have been achieved are OK.

REFERENCES

The Standards for Supervised Visitation Practice of the Supervised Visitation Network are available online at www.svnetwork.net . Click on About SVN

Hess, P.M. and Proch, K. (1988). Family Visiting in Out of Home Care: A Guide to Practice. Child Welfare League of America.

Hess, P.M. (1988) "Case and Context: Determinants of Planned Visit Frequency In Foster Family Care. Public Welfare, Vol LXVII, No 4, July-August, 1988, pp.311-326.

Hess, P.M. and Proch, K. (1990) "Visiting: The Heart of Reunification" in Together Again: Family Reunification in Foster Care. Barbara A. Pine, Robin Warsh, Anthony N. Maluccio. Child Welfare League of American. Washington, D.C.

McWey, Lenore M. and Mullis, Ann K. "Improving the Lives of Children in Foster Care: The Impact of Supervised Visitation". Family Relations, 2004, 53, 293–300, 2004, Vol. 53, No. 3

Johnston, J.R. and Straus, R.B. (1999) Traumatized Children in Supervised Visitation: What Do They Need? Family and Conciliation Courts Review, Vol. 37, No.2, April, 1999, 135-158.

Straus, R.B. and Alda, E. (1994). Supervised Child Access: The Evolution of a Social Service. Family and Conciliation Courts Review, 32 (2), 230-246

Straus, Robert B., "Supervised Visitation and Family Violence", Family Law Quarterly, Vol 29, No. 2, Summer 1995, pp.229-252.

"Making the Most of Family Visits in Foster Care: Coaching Parents, Strengthening Connection, and Moving Towards Permanency". SVN Telephone training, April 3, 2008. Presented by Catherine Lewis, LCSW and Helen Woodbury, LCSW, Director and Assistant Director of Clinical Services at The New York Society for the Prevention of Cruelty to Children. Recording available for SVN members on the SVN website: www.svnetwork.net as "Working with Parents in Foster Care" 4/20/2008.